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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

8  
9 UNITED STATES OF AMERICA

10 Plaintiff,

11 vs.

12 ABNER J. THOMPSON,

13  
14 Defendant.

CASE NO.: 2:14-cr-00046-APG-CWH

**STIPULATION TO CONTINUE  
SENTENCING**

15  
16  
17 IT IS HEREBY STIPULATED AND AGREED by and between Defendant, ABNER J.  
18 THOMPSON, by and through his counsel, TODD M. LEVENTHAL, ESQ., and the United States  
19 of America, by its counsel, DANIEL SCHIESS, ESQ., Assistant U.S. Attorney, that the  
20 Sentencing set for April 18, 2017, at 11:00 a.m. in the above-captioned matter be vacated and  
21 continued to a date convenient to the court after April, 2017.

22 This Stipulation is entered into for the following reasons

- 23  
24 1. The parties have coordinated to continue the Sentencing in the above referenced  
25 matter due to Mr. Leventhal having been in trial in Federal court, USA v Bundy et.  
26 al., that commenced February 6, 2017.  
27 2. Mr. Thompson is currently out of custody and agrees to continue the Sentencing.  
28

3. Mr. Leventhal has spoken to DANIEL SCHIESS, ESQ., Assistant U.S. Attorney, and he has no objection to this continuance.

4. Additionally, denial of this request for a continuance could result in a miscarriage of justice.

5. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speed Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), when considering the factors under Title 18, United States Code, Section 3161 (h)(7)(b) i and 3161 (h)(7)(b)(iv). In addition, the continuance sought is not for delay and the ends of justice are in fact served by the granting of such a continuance which outweigh the best interest of the public and the defendant in a speedy trial.

DATED this 13<sup>th</sup> day of April, 2017.

/s/ Todd M. Leventhal  
TODD M. LEVENTHAL, ESQ.  
Counsel for Abner Thompson

/s/ Daniel Schiess  
DANIEL SCHIESS, ESQ  
Assistant U.S. Attorney

Submitted By: LEVENTHAL &amp; ASSOCIATES, PLLC

/s/ Todd M. Leventhal  
TODD M. LEVENTHAL, ESQ.

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiff,

vs.

ABNER THOMPSON,

Defendant.

CASE NO.: 2:14-cr-00046-APG-CWH

**FINDINGS OF FACT**

Based on the stipulation of counsel, and good cause appearing, the Court finds that:

1. The parties have coordinated to continue the Sentencing in the above referenced matter due to Mr. Leventhal currently being in trial in Federal court, USA v Bundy et. al., that commenced February 6, 2017.
2. Mr. Thompson is currently out of custody and agrees to continue the Sentencing.
3. Mr. Leventhal has spoken to DANIEL SCHIESS, ESQ., Assistant U.S. Attorney, and he has no objection to this continuance.
4. Additionally, denial of this request for a continuance could result in a miscarriage of justice.
5. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speed Trial Act, Title 18, United States Code, Section 3161 (h)(7)(A), when considering the factors

1 under Title 18, United States Code, Section 3161 (h)(7)(b) i and 3161 (h)(7)(b)(iv).  
2 In addition, the continuance sought is not for delay and the ends of justice are in  
3 fact served by the granting of such a continuance which outweigh the best interest  
4 of the public and the defendant in a speedy trial.

5  
6 **ORDER**

7  
8 Accordingly, IT IS SO ORDERED that the current Sentencing date is vacated and the same is  
9 continued and reset for May 16, 2017 at the hour of 1:30 p.m. in Courtroom #6C.

10  
11 Dated: 4/13/17

12   
13 ANDREW P. GONDON  
14 UNITED STATES DISTRICT JUDGE

15  
16 **CERTIFICATE OF SERVICE**

17  
18 When all Case Participants are Registered for the Appellate CM/ECF System  
19 I hereby certify that on 13<sup>th</sup> day of April, 2017, I electronically filed the foregoing with the Clerk  
20 of the Court for the United States District Court by using the appellate CM/ECF system. I further  
21 certify that all participants in the case are registered CM/ECF users and that service will be  
22 accomplished by the appellate CM/ECF system.  
23

24 /s/ Todd M. Leventhal  
25 Signature  
26  
27  
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